

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

KAREN TOLLEY,

Plaintiff,

v.

Civil Action No. 2:07-CV-37

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA
PAUPERIS**

On July 10, 2007, Karen Tolley, ["Claimant"], filed a complaint for review of Defendant's denial of her application for Social Security benefits pursuant to 42 U.S.C. § 405(g) and 42 U.S.C. § 1381(c)(3) and an Application for Leave to Proceed in forma pauperis.

Claimant's application reveals that she is not employed. Claimant has not received any income in the past twelve months from business, rent payments, interest, dividends, pensions, annuities, life insurance, disability, workers' compensation, gifts, or inheritance. Claimant has less than \$100 combined in her checking and saving accounts. Claimant owns a 1999 Jeep valued at \$2,500. Claimant lives with her husband and two children. She receives \$196 per month in child support and \$512 per month in food stamps.

Accordingly, it is ORDERED that Claimant's July 10, 2007 Application to Proceed in forma pauperis is GRANTED. The Clerk of the Court is directed to notify the United States Marshal Service who shall serve process pursuant to Federal Rule of Civil Procedure 4(c)(2). Any recovery in this action will be subject to payment of fees and costs, including service of process fees and the \$350.00 filing fee.

DATED: August 20, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE